

REMARKS

Reconsideration is respectfully requested.

Page 4 of the Specification was amended in the manner suggested by the Examiner. In addition, page 6 was amended to refer to the subject matter added to Fig. 4. Favorable consideration of this amendment is respectfully requested.

Fig 1 was amended by changing reference numeral 107, as it relates to the boom, to 106. In addition, Fig. 4 was amended to include the subject matter of claim 9 (substantially cylindrical reinforcing structure) which is denoted as 406. A marked-up copy of the drawings with the changes included in red is attached herewith for the Examiner's consideration.

The Examiner's remarks and cited references have been carefully considered and responsive thereto applicant has amended claims 1, 5, 6 and 13.

Claims 1, 2, 3, 6, 8 and 9 were rejected by the Examiner under 35 U.S.C. 102 as being anticipated by Peterson. Responsive thereto, applicant has amended claim 1 (with claims 2-9 dependent thereon) to more fully differentiate applicant's teachings from those of Peterson or any of the cited references. Specifically, claim 1 was amended to include, in regards to selecting and locating the reinforcing structure, the following arrangement: "said reinforcing structure having at least one of a selected size and a selected attachment location so as to minimize a weight of the load bearing member", which is supported by applicant's specification (see, e.g., applicant's page 7 "Industrial Applicability"). Because Peterson is not directed to trying to solve the same problem as that of the applicant (minimizing the weight of the load bearing members to increase the potential payload available), Peterson teaches a "one size fits all" approach to reinforcing its load bearing member. In fact, because Peterson's plates are used to establish connection points (e.g., 68 and 73) to connect other structure to the load bearing members, there would not be any flexibility in the placement of the plates relative to the load bearing member. Applicant respectfully submits that these claims are now in condition for allowance and that the rejection of these claims now be withdrawn.

Claim 7 was rejected by the Examiner under 35 U.S.C. 102 as being anticipated by Waka. Applicant believes that the reference to claim 7 may be in error, and since all the claims were rejected and claim 4 is not addressed elsewhere in the Office Action, it is the applicant's belief that the Examiner intended this rejection to apply to claim 4 and so the applicant will respond to this rejection assuming it applies to claim 4. If applicant is in error on this assumption then applicant respectfully requests clarification as to which claim is being referenced. In view of the fact that claim 4 depends on claim 1, applicant respectfully submits that Waka fails to teach or suggest the following arrangement: "said reinforcing structure having at least one of a selected size and a selected attachment location so as to minimize a weight of the load bearing member", as now claimed by the applicant. Applicant respectfully submits that applicant's claim 4 is now in condition for allowance and that the rejection of this claim now be withdrawn.

Claim 7 was rejected by the Examiner under 35 U.S.C. 103(a) as being unpatentable over Peterson. In view of the fact that claim 7 depends on claim 1, applicant respectfully submits that Peterson fails to teach or suggest, either alone or in combination with any of the cited references, the following arrangement: "said reinforcing structure having at least one of a selected size and a selected attachment location so as to minimize a weight of the load bearing member", as now claimed by the applicant. Applicant respectfully submits that applicant's claim 7 is now in condition for allowance and that the rejection of this claim now be withdrawn.

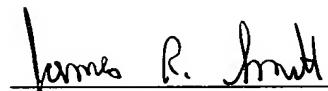
Claims 10-17 were rejected by the Examiner under 35 U.S.C. 103(a) as being unpatentable over Kobayashi in view of Peterson. In view of the fact that claims 10-12 depend upon claim 1, applicant respectfully submits that Kobayashi and Peterson fail to teach or suggest, either alone or in combination, the following arrangement: "said reinforcing structure having at least one of a selected size and a selected attachment location so as to minimize a weight of the load bearing member", as now claimed by the applicant. Regarding claims 13-17, applicant has amended claim 13 (with claims 14-17 dependent thereon) to more fully differentiate applicant's teachings from those of the combination of Kobayashi and Peterson or any of the cited references. Specifically, claim 13 was amended to also include the following arrangement: "said reinforcing structure having at least one of a

selected size and a selected attachment location so as to minimize a weight of the load bearing member", which is neither taught nor suggested by the combination of Kobayashi and Peterson. Applicant respectively submits that the combination of Kobayashi and Peterson fails to teach applicant's invention as now claimed and that the rejection of these claims now be withdrawn.

Claim 5 was objected to as being dependent upon a rejected base claim, but was indicated as being allowable by the Examiner if rewritten in independent form to include all the limitations of the base claim and any intervening claims. Responsive thereto, applicant has rewritten claim 5 in manner suggested as independent claim 5.

It is respectfully urged that the subject application is in condition for allowance and allowance of the application at issue is respectfully requested.

Respectfully submitted,



James R. Smith
Registration No. 41,318
Caterpillar Inc.

Telephone: (309) 636-1569
Facsimile: (309) 675-1236